

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

STEVEN CHARLES SCHEUMANN- WHITNEY,)	
)	
Plaintiff,)	
v.)	No. 1:10-cv-630-TWP-DML
)	
STATE OF INDIANA DEPARTMENT)	
OF CORRECTIONS, et al.,)	
)	
Defendants.)	

Entry and Order Directing Dismissal of Action

The complaint of Steven Charles Scheumann-Whitney, an Indiana prisoner, was dismissed on July 23, 2010, pursuant to 28 U.S.C. § 1915A(b) because it failed to state a claim upon which relief can be granted. At that time, Scheumann-Whitney was permitted to file an amended complaint and was given guidelines for doing so. Specifically, Scheumann-Whitney was informed that Rule 8(a)(2) of the *Federal Rules of Civil Procedure* requires that pleadings contain "a short and plain statement of the claim showing that the pleader is entitled to relief. . . ."

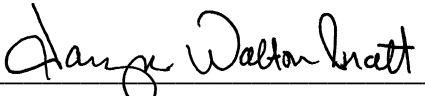
Scheumann-Whitney has submitted an amended complaint, but not in accordance with the court's instructions. Scheumann-Whitney's allegations in the amended complaint are incoherent and rambling. "District courts should not have to read and decipher tomes disguised as pleadings." *Lindell v. Houser*, 442 F.3d 1033, 1035 n.1 (7th Cir. 2006). That, however, is precisely what Scheumann-Whitney has presented. His 60-page handwritten complaint and 35-pages of exhibits defies understanding, rendering it unintelligible and subject to dismissal on that basis. *Davis v. Ruby Foods, Inc.*, 269 F.3d 818, 820 (7th Cir. 2001)("dismissal of a complaint on the ground that it is unintelligible is unexceptionable").

The *Federal Rules of Civil Procedure*—and Rule 8(a)(2) in particular—require that pleadings contain "a short and plain statement of the claim showing that the pleader is entitled to relief" The purpose of this requirement is "to give the defendant fair notice of what the claim is and the grounds upon which it rests." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)(citing *Conley v. Gibson*, 355 U.S. 41, 47 (1957)); see also *Wade v. Hopper*, 993 F.2d 1246, 1249 (7th Cir. 1993)(noting that the main purpose of Rule 8 is rooted in fair notice: a complaint "must be presented with intelligibility sufficient for a court or opposing party to understand whether a valid claim is alleged and if so what it is.") (quotation omitted)).

Accordingly, the amended complaint (dkt 42) is **dismissed** pursuant to 28 U.S.C. § 1915A(b). Judgment consistent with this Entry shall now be issued.

IT IS SO ORDERED.

Date: 12/16/2010



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana